

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification
of this Application:
Class _____ Subclass _____

Prior Application:
Exam'r: S. Houtteman
Group Art Unit: 1807

Attorney's
Docket No.:
Enz-5(D6)(C2)

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231
BOX FWC (if under \$1.62)

Sir:

This is a request for filing a X CONTINUATION DIVISIONAL
 CONTINUATION-IN-PART application under X 37 CFR §1.60
 37 CFR §1.62, of pending prior application Serial No. 08/046,004
filed on April 9, 1993 of Dean Engelhardt et al. for
Inventor(s)

PHOSPHATE-MOIETY LABELED DETECTABLE NUCLEOTIDES
(As Amended)

Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. A verified statement to establish small entity status under 37 CFR §1.9 and §1.27 is enclosed.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

	Number Filed	Number Extra	RATE		FEE	
			Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	1	= 0	\$ 11	\$ 22	\$	\$ 0
Independent Claims	1- 3	= 0	\$ 38	\$ 76	\$	\$ 0
Multiple Dependent Claims Presented:	Yes <u>X</u> No		\$ 120	\$ 240	\$	\$ 0
* If the difference in Col. 1 is less than zero, enter "0" in Col. 2				BASIC FEE	\$ 365	\$ 730
				TOTAL FEE	\$ -	\$ 730

4. X The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135.
A duplicate copy of this sheet is enclosed.
- X Any additional filing fees required under 37 CFR §1.16.
- X Any patent application processing fees under 37 CFR §1.17.

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EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>TB842440643</u>	
Deposit Date	<u>JUNE 7, 1995</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231	
<u>JMK</u> <u>JUNE 7 1995</u>	

5. The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

Any patent application processing fees under 37 CFR §1.17.

The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6. A check in the amount of \$_____ is enclosed.

7. Cancel claims 2-203.

8. Amend the specification by inserting before the first line the sentence: --This is a continuation, divisional continuation-in-part, of application Serial No. 07/532,461, filed on May 31, 1990, which is a division of Serial No. 07/140,980, filed on January 5, 1988, which in turn is a continuation of Serial No. 06/674,352, filed on November 21, 1984, abandoned, which, in turn, is a continuation of Serial No. 06/391,440, filed on June 23, 1982, also abandoned.--

9. Transfer the drawings from the prior application.

10. Informal Formal drawings are enclosed.

11. Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.

12. Priority of application Serial No. _____ filed on _____ is claimed under 35 U.S.C. §119. The certified copy of the priority application has been filed in prior application Serial No. _____, filed _____.

13. The prior application is assigned of record to Enzo Diagnostics, Inc. [A copy of the Assignment and the Notice of Recordation are attached.]

14. A preliminary amendment is enclosed.

Dean Engelhardt et al.
Serial No.: Not Yet Assigned
Filed: Herewith
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- June 7, 1995)

15. The substitute power of attorney in the prior application is to: Ronald C. Fedus, Reg. No. 32,567.

(a) The power appears in the original papers in the prior application.

(b) Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

(c) Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Ronald C. Fedus, Esq.
Enzo Biochem, Inc.
575 Fifth Avenue (18th Floor)
New York, New York 10017

16. Also enclosed is _____

17. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/046,004 as originally filed on April 9, 1993.

18. The parent application (Serial No. 07/532,461) is copending with the filing of this new application.

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The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

JUNE 7, 1995

Date



Signature [Ronald C. Fedus]

Inventor(s)
 Assignee of Complete Interest
 Attorney or Agent of Record
 Filed under 37 CFR §1.34(a)

Address of Signator:

ENZO DIAGNOSTICS, INC.
c/o Enzo Biochem, Inc.
575 Fifth Avenue (18th Floor)
New York, New York 10017